

Application No. 09/865,833

REMARKS

Claims 4-5, 8, 11-13, 18-19, and 21-26 remain in the Application. Claims 27-30 have been added to the Application. Claims 4, 8, 18, 21, 25 and 27 are independent claims.

Personal Interview

The Applicant acknowledges with appreciation the Examiner's helpful comments at the personal interview of the subject application between the Examiner and the Applicant's attorney on August 23, 2002.

Oath/Declaration

The Examiner alleges that the oath or declaration is defective because it does not identify the city and either state or foreign country of residence of each inventor.

Applicant's attorney's file indicates that an Application Data Sheet was filed with the declaration, and that the Application Data Sheet contained the city and state of residence information for the inventor. Additionally, Applicant's attorney notes that the filing receipt received from the U.S. Patent Office correctly identifies the inventor's city and state of residence. Thus, apparently the Application Data Sheet has been lost by the U.S. Patent Office between the time that the filing receipt was generated and when the Examiner reviewed the file.

Nevertheless, the Applicant is filing a Supplemental Declaration identifying the subject application by application number and filing date along with this Reply.

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Formal Drawings

The Examiner has encouraged the Applicant to submit formal drawings in response to the instant Office Action. Thus, the Applicant has obtained newly prepared formal drawings. For the Examiner's convenience in reviewing the instant Application, the Applicant is transmitting facsimile copies of said formal drawings herewith. The Applicant will submit the new original formal drawings to the Commissioner by first class mail under separate cover.

Rejection of Claims 1-3 Under 35 U.S.C. 103

The Examiner has rejected Claims 1-3 under 35 U.S.C. 103(a) as being unpatentable over Price (U.S. Pat. 4,238,815) and Weathers (U.S. Pat. 6,210,019).

The Applicant has cancelled Claims 1-3 in response to this rejection.

Objection to Claims 4-5

The Examiner has objected to Claims 4-5 as being dependent upon a rejected base claim but otherwise allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Applicant has amended Claim 4 by rewriting it in independent form including all of the limitations of the base claim, Claim 1. There were no intervening claims.

Claim 5 depends from allowable Claim 4, and, therefore, has not been amended.

Thus, the Applicant requests the Examiner to allow Claims

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4-5.

Rejection of Claims 6-7 Under 35 U.S.C. 103

The Examiner has rejected Claims 6-7 under 35 U.S.C. 103(a) as being unpatentable over Price (U.S. Pat. 4,238,815) and Weathers (U.S. Pat. 6,210,019).

The Applicant has cancelled Claims 6-70 in response to this rejection.

Rejection of Claims 8-13 Under 35 U.S.C. 103

The Examiner has rejected Claims 8-13 under 35 U.S.C. 103(a) as being unpatentable over Price (U.S. Pat. 4,238,815) and Weathers (U.S. Pat. 6,210,019).

The Applicant has amended Claim 8 to include the elements and limitations of Claims 9-10. Therefore, the Applicant has cancelled Claims 9-10. Additionally, the Applicant has amended Claim 11 to more clearly define the invention of Claim 11.

Thus, the Applicant respectfully traverses the Examiner on the rejection of Claims 8 and 11-13.

The Applicant's claimed invention in accordance with independent Claim 8, as amended, is a retrofit light fixture in combination with an existing recessed fluorescent strip fixture. The retrofit fixture has an elongated, concave, low profile reflector that is received within the reflector chamber of the existing fixture. Thus, the existing fixture remains in the ceiling eliminating the need to remove and dispose of it. Additionally, the retrofit fixture reflector has a hanger tab extending longitudinally from each end of reflector, which allow the retrofit fixture to be hung from the grid ceiling for ease

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of wiring during installation.

The Examiner cites Price for the proposition that it teaches "the fixture fitting inside the housing and being retained therein, Figure 2". The Examiner also states that Price fails to disclose the light fixture being designed for retrofitting existing fixtures. The Examiner then cites Weathers for the proposition that it teaches fluorescent light structures for retrofitting existing fixtures.

To the contrary, neither Price nor Weathers teaches or suggests, alone or in combination, a retrofit light fixture in combination with an existing recessed fluorescent strip fixture where the reflector of the retrofit fixture fits within the existing fixture reflector chamber and which has hanger tabs. Weathers teaches a retrofit kit for an existing surface mounted fluorescent strip fixture that has no reflector chamber. Since Price does not teach or suggest retrofitting an existing recessed fixture, it also does not teach or suggest the combination of an existing recessed fluorescent strip fixture and a retrofit fixture reflector that fits within the reflector chamber of the existing fixture. Thus, the references cited do not teach or suggest all of the claim limitations of Applicant's Claim 8.

Still further, Weathers teaches that the installation procedure for its retrofit kit involves removing unneeded components of the existing lighting fixture including reflector pan 32, sockets 20, end plates 22 and 24, and lamp ballast 34. Col. 3, lines 61-67. Thus, Weathers actually teaches away from the combination of Applicant's claim 8 which retains the existing fixture reflector.

Claims 11-13 depend from Claim 8. Since neither Price nor

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Weathers, alone or in combination, teach or suggest the combination according to Applicant's Claim 8, neither do they teach or suggest the device according to Applicant's Claims 11-13. Thus, Applicant requests that the Examiner withdraw the rejection of Claims 8 and 11-13.

Rejection of Claims 14-17 Under 35 U.S.C. 103

The Examiner has rejected Claims 14-17 under 35 U.S.C. 103(a) as being unpatentable over Price (U.S. Pat. 4,238,815) and Weathers (U.S. Pat. 6,210,019).

The Applicant has cancelled Claims 14-17 in response to this rejection.

Objection to Claims 18-19

The Examiner has objected to Claims 18-19 as being dependent upon a rejected base claim but otherwise allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Applicant has amended Claim 18 by rewriting it in independent form including all of the limitations of the base claim, Claim 14, and the intervening claims, Claims 16-17.

Claim 19 depends from allowable Claim 18, and, therefore, has not been amended.

Thus, the Applicant requests the Examiner to allow Claims 18-19.

Rejection of Claim 20 Under 35 U.S.C. 103

The Examiner has rejected Claim 20 under 35 U.S.C. 103(a)

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as being unpatentable over Price (U.S. Pat. 4,238,815) and Weathers (U.S. Pat. 6,210,019).

The Applicant has cancelled Claim 20 in response to this rejection.

Rejection of Claims 21-24 Under 35 U.S.C. 103

The Examiner has rejected Claims 21-24 under 35 U.S.C. 103(a) as being unpatentable over Price (U.S. Pat. 4,238,815) and Weathers (U.S. Pat. 6,210,019).

The Applicant respectfully traverses the Examiner on this ground of rejection.

The Applicant's claimed invention in accordance with independent Claim 21 is a retrofit fixture for installation into an existing recessed fluorescent strip fixture in an inverted T-bar grid ceiling having an opening having a predetermined length. The reflector of the retrofit fixture has flanges extending from its longitudinal edges, and hanger tabs extending from each end of one of the flanges such that the length of the flange and the hanger tabs is greater than the ceiling opening predetermined length. The hanger tabs enable the fixture to be hung from the T-bar members of the ceiling to facilitate connection of electrical wiring between the existing fixture and the retrofit fixture. After the wiring connections are completed, the retrofit fixture may be swung into place such that the retrofit fixture is supported by the flanges which are, in turn, supported by the T-bar members of the ceiling.

To the contrary, neither Price nor Weathers, alone or in combination, teach or suggest a reflector having hanger tabs extending from each end of a flange. The Examiner cites Price as teaching "a first and second supporting tab located on the

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first and second side edge, Figure 2, reference number 107." However, upon review of Price, the Applicant notes that elements number 107 of Price are longitudinally spaced latch engaging rectangular recesses 107 formed in the outer edge of flanges 106. Col. 6, lines 53-55. The rectangular recesses 107 are not, and do not create the tabs extending from the flanges of the retrofit fixture of Applicant's Claim 21. Thus, the fixture taught by Price does not teach the hanger tabs of Applicant's Claim 21.

Claims 22-24 depend from Claim 21. Since neither Price nor Weathers, alone or in combination, teach or suggest the retrofit fixture according to Applicant's Claim 21, neither do they teach or suggest the device according to Applicant's Claims 22-24. Thus, Applicant requests that the Examiner withdraw the rejection of Claims 21-24.

Rejection of Claims 25-26 Under 35 U.S.C. 103

The Examiner has rejected Claims 25-26 under 35 U.S.C. 103(a) as being unpatentable over Price (U.S. Pat. 4,238,815) and Weathers (U.S. Pat. 6,210,019).

The Applicant respectfully traverses the Examiner on this ground of rejection.

The Applicant's claimed invention in accordance with independent Claim 25 is a method of retrofitting an existing recessed fluorescent strip fixture installed above an opening in an inverted T-bar grid ceiling.

The Examiner's Detailed Action fails to identify why the subject matter claimed in Applicant's Claims 25-26 fails to satisfy the non-obviousness requirements. Thus, the Examiner's rejection does not appear to make a *prima facie* case of

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unpatentability with respect to Claims 25-26. To wit, the Examiner acknowledges that Price does not teach a retrofit fixture and, therefore, cannot teach a method of retrofitting an existing recessed fluorescent strip fixture. Additionally, Weathers does not teach a retrofit for a recessed fixture and, thus, cannot teach Applicant's method of retrofitting that includes a step of inserting a retrofit fixture through a ceiling opening.

Thus, Applicant requests the Examiner to identify a reason why the subject matter in Claims 25-26 fails to satisfy the non-obviousness requirements, or withdraw the rejection of Claims 25-26.

New Claims 27-30

By Amendment, the Applicant has added new Claims 27-30. New Claims 27-30 include independent Claim 27 and dependent claims 28-30, and are further drawn to the elements and structure of the Applicant's invention.

Prior Art Made of Record

The Examiner has cited Chester (U.S. Pat. 3,058,611), Miller et al. (U.S. Pat. 3,790,774), Rodin (U.S. Pat. 4,928,209), Neary et al. (U.S. Pat. 5,274,533), Newell (U.S. Pat. 5,412,551), Simpson (U.S. Pat. 5,371,661) and Kotloff (U.S. Pat. 6,059,424) as disclosing features relevant to Applicant's disclosure. The Applicant has reviewed these references and determined that none of the references, nor any other known prior art, teach or suggest the instant invention as claimed. Therefore, further discussion of these references appears to be unwarranted.

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Applicant urges that the instant application, as amended, is now in condition for allowance. However, if the Examiner believes there are other unresolved issues in this case, Applicants' attorneys of record would appreciate a call at (502)584-1135 to discuss such remaining issues.

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Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

4. (Once Amended) A retrofit light fixture, comprising: The retrofit light fixture of claim 1

a low profile reflector having a first side edge and a second side edge, said reflector being generally concave in shape;

a ballast;

a plurality of lamp holders connected electrically to said ballast;

wherein said retrofit fixture fits within a reflector chamber of an existing light fixture and is retained therein; and

wherein said plurality of lamp holders are in staggered offsetting relationship.

8. (Once Amended) A retrofit light fixture in combination with an existing recessed fluorescent strip fixture in an inverted T-bar grid ceiling, comprising:

an existing recessed fluorescent light strip fixture reflector defining a reflector chamber;

a low-profile-retrofit reflector fitting within said existing recessed fluorescent strip fixture reflector chamber;

wherein said retrofit reflector has:

an elongated, concave, low profile shape;

a first end;

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a second end opposed to said first end;  
a first side and a second side extending between said  
first end and said second end;  
a first hanger tab extending longitudinally from said  
first end;  
a second hanger tab extending longitudinally from said  
second end; and  
a plurality of paired lamp holders electrically  
connected to a ballast.

11. (Once Amended) The retrofit light fixture of claim 108,  
wherein said existing fluorescent strip fixture reflector  
further has a first flange and a second flange located  
along its longitudinal edges;  
wherein said retrofit light fixture further has a first flange  
extending laterally from said first side and a second  
flange extending laterally from said second side;  
wherein said retrofit light fixture first flange is positioned  
between said existing fluorescent light fixture first  
flange and a first inverted T-bar grid member of said  
ceiling; and  
wherein said retrofit light fixture second flange is positioned  
between said existing fluorescent light fixture second  
flange and a second inverted T-bar grid member of said  
ceiling, said first side edge of said retrofit reflector  
adjacent to said first flange, and said second side edge of  
said retrofit reflector adjacent said second flange.

18. (Once Amended) A retrofit fixture for installation into an  
existing recessed fluorescent strip fixture in an inverted T-bar  
grid ceiling, said retrofit fixture comprising:

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a reflector sized to fit within said existing fixture and within a grid opening in said ceiling, said reflector having a first longitudinal edge, a second longitudinal edge, and a plurality of lamp holders;  
a plurality of lamps held by said lamp holders, each said lamp having a length less than the length of said ceiling grid opening;  
a first flange extending from said first longitudinal edge;  
a hanger tab extending from each end of said first flange;  
a second flange extending from said second longitudinal edge;  
~~The retrofit fixture of claim 17 wherein said lamp holders hold said lamps in a staggered arrangement.~~

21. (Once Amended) A retrofit fixture for installation into an existing recessed fluorescent strip fixture in an inverted T-bar grid ceiling having an opening having a predetermined length and width, said retrofit fixture comprising:

a reflector having a length less than said predetermined length, said reflector having a first longitudinal edge and a second longitudinal edge;  
a first flange extending from said first longitudinal edge; a ~~hangar~~ hanger tab extending from each ~~edge~~ end of said first flange such that the length of said flange and said ~~hangar~~ hanger tabs is greater than said ceiling opening predetermined length;  
a second flange extending from said second longitudinal edge; and

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a plurality of lamp holders attached to said reflector arranged to support at least one lamp.

22. (Once Amended) The retrofit fixture of claim 21 wherein said plurality of lamp holders are in a staggered arrangement to support at least two lamps having a combined length greater than said predetermined length.

23. (Once Amended) The retrofit fixture of claim 21, said first flange and said second flange ~~cooperating with said inverted T-bar grid ceiling being supported by a first T-bar member and a second T-bar member, respectively, of said grid ceiling, said T-bar members being located along the respective sides of said ceiling opening to support said retrofit fixture within said existing fixture.~~

24. (Once Amended) The retrofit fixture of claim 23 wherein said reflector is flexible about its longitudinal axis, whereby the width of said reflector with said first and second flanges may be reduced to an amount less than the said predetermined width of said ceiling opening.

25. (Once Amended) A method of retrofitting an existing recessed fluorescent strip fixture installed above an opening in an inverted T-bar grid ceiling, said existing recessed fluorescent strip fixture having a reflector, fluorescent lamps, a ballast and power supply leads connected to said ballast, said existing fixture reflector having a ballast cover for accessing said ballast, said method of retrofitting comprising the steps of:

a. removing the said fluorescent lamps and the said ballast cover from the said existing recessed fluorescent strip fixture, and disconnecting said power supply leads from said ballast;

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b. partially inserting a retrofit fixture diagonally through ~~an~~ ~~said~~ ~~cciling~~ opening in said grid ceiling and partially into ~~said~~ ~~existing~~ ~~fixture~~, said retrofit fixture comprising:

    a reflector sized to fit within an opening in said grid ceiling and within said existing fixture, said reflector having a first longitudinal edge and a second longitudinal edge, said reflector being flexible about its longitudinal axis;

    a first flange extending from said first longitudinal edge;

    a ~~hanger~~ hanger tab extending from each end of said first flange;

    a second flange extending from said second longitudinal edge; and

    a retrofit ballast attached to said reflector;

c. hanging said retrofit fixture from ~~grid~~ said T-bar members of said grid ceiling by said ~~hanger~~ hanger tabs;

d. attaching said power supply leads from said existing fixture to said retrofit ballast;

e. swinging said retrofit fixture into place within said existing recessed fluorescent strip fixture by slightly flexing said retrofit fixture reflector such that the width of the retrofit fixture reflector combined with said first and second flanges may be reduced to an amount less than the width of said ceiling opening;

f. allowing said reflector to return to its original width such that said retrofit fixture is supported by said T-bar ceiling grid members along said first and second flanges.